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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/020,026
Filing Date: December 14, 2001
Appellant(s): BATALDEN ET AL.

MAILED

DEC 05 2006

Technology Center 2100

Gero G. McClellan
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 7 September 2006 appealing from the Office action mailed 7 April 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is substantially correct. The changes are as follows:

WITHDRAWN REJECTIONS

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The following grounds of rejection are not presented for review on appeal because they have been withdrawn by the examiner: The 35 U.S.C. 112, first paragraph rejection of claims 14-15, 17 and 20-24.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2002/0054141	YEN ET AL.	5-2002
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2002/0016802	HODGKINSON	2-2002
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Netscape® Communicator 4.75, copyright 2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-2, 4, 7, 12-15, 20, 25-26, 28 and 32-34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yen et al. U.S. Publication 2002/0054141 (hereinafter "Yen") and Hodgkinson U.S. Publication 2002/0016802.

Referring to claims 1, 14 and 25, Yen teaches a method, computer readable medium and computer comprising a memory containing at least a browser programming (computer system with storage executing an application program that displays browser windows for conducting online stock transactions) (Yen: page 2, paragraphs 0026-0027 and page 4, paragraph 0046); a

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processor which when executing the browser programming, is configured to: open a controlling browser window configured to control aspects of a controlled browser window (for example, the first main window display opens the first sub-window display, which is subordinate to, or controlled by the first main window display) (Yen: page 4, paragraphs 0047-0052), wherein the controlling browser window establishes at least one event handler prior to opening the controlled browser window (menu/function buttons are inherently designed with event handlers which handles subsequent processing each time the button is selected; for example, it is established that upon user selection of a window control button, a sub-window will be displayed at a certain location) (Yen: page 4, paragraphs 0048-0049); and open the controlled browser window, wherein the controlled browser window includes a display area for rendering viewable content received from network locations (the first main window executes a launching object in the first window to open, i.e. display the first sub-window) (Yen: pages 2-3, paragraphs 0029-0032 and page 4, paragraphs 0047-0052), and wherein the controlling browser window controls at least one functional aspect of the controlled browser window, during a browsing session engaged in by a user (the first main window controls functional aspects of the first sub-window in that when the first main window shifts or closes, the first sub-window shifts or closes correspondingly) (Yen: page 4, paragraph 0052; this is further recited in pages 5-6, claim 1). However, although Yen teaches event handlers that causes response upon user input, Yen fails to explicitly teach receiving user input to which the controlled browser window is configured to produce a predetermined response and overriding the predetermined response by executing an action specified by the at least one event to cause a response different from the predetermined response. Hodgkinson teaches the display of user selected information received from a network such as the

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Internet (Hodgkinson: paragraphs 0001-0002 on page 1 and Figure 1), similar to that of Yen. In addition, Hodgkinson further teaches receiving user input to which the controlled browser window is configured to produce a predetermined response and overriding the predetermined response by executing an action to cause a response different from the predetermined response (upon receiving user selection requesting a change in the layout of the displayed webpage, instead of executing the change, the system overrides the display change and prevents the browser from reformatting the pages) (Hodgkinson: paragraph 0015 on page 2). It would have been obvious to one of ordinary skill in the art, having the teachings of Yen and Hodgkinson before him at the time the invention was made, to modify the control of a browser window of Yen to include receiving an input and causing a response different than the predetermined response, taught by Hodgkinson, in order to obtain receiving user input to which the controlled browser window is configured to produce a predetermined response and overriding the predetermined response by executing an action specified by the at least one event to cause a response different from the predetermined response. One would have been motivated to make such a combination in order to provide a management system that keeps users from conducting harmful or unauthorized actions on data, maintaining data integrity and security.

Referring to claim 34, Yen teaches a method comprising opening a browser program that opens a first browser window configured to open and display an HTML document (the application program 44 opens a HTML document window, such as a browser window for conducting on online stock transaction) (Yen: page 4, paragraph 0046), wherein the HTML document includes an executable component, which when processed by the browser program causes the browser program to establish at least one event handler, and further configured to

open a second browser window (the first main window displaying the HTML online stock transaction content opens the first sub-window, i.e. second browser window, upon execution of the launching object in the first main window; menu/function buttons are inherently designed with event handlers which handles subsequent processing each time the button is selected; for example, it is established that upon user selection of a window control button, a sub-window will be displayed at a certain location) (Yen: pages 2-3, paragraphs 0029-0032 and page 4, paragraphs 0047-0052); and opening the second browser window, wherein the executable component of the first browser window is further configured to control at least one functional aspect of the second browser window, during the browsing session engaged in by a user interacting with the second browser window (the first main window controls functional aspects of the first sub-window in that when the first main window shifts or closes, the first sub-window shifts or closes correspondingly) (Yen: page 4, paragraph 0052; this is further recited in pages 5-6, claim 1). However, although Yen teaches event handlers that causes response upon user input, Yen fails to explicitly teach receiving user input to which the controlled browser window is configured to produce a predetermined response and overriding the predetermined response by executing an action specified by the at least one event to cause a response different from the predetermined response. Hodgkinson teaches the display of user selected information received from a network such as the Internet (Hodgkinson: paragraphs 0001-0002 on page 1 and Figure 1), similar to that of Yen. In addition, Hodgkinson further teaches receiving user input to which the controlled browser window is configured to produce a predetermined response and overriding the predetermined response by executing an action to cause a response different from the predetermined response (upon receiving user selection requesting a change in the layout of

the displayed webpage, instead of executing the change, the system overrides the display change and prevents the browser from reformatting the pages) (Hodgkinson: paragraph 0015 on page 2).

It would have been obvious to one of ordinary skill in the art, having the teachings of Yen and Hodgkinson before him at the time the invention was made, to modify the control of a browser window of Yen to include receiving an input and causing a response different than the predetermined response, taught by Hodgkinson, in order to obtain receiving user input to which the controlled browser window is configured to produce a predetermined response and overriding the predetermined response by executing an action specified by the at least one event to cause a response different from the predetermined response. One would have been motivated to make such a combination in order to provide a management system that keeps users from conducting harmful or unauthorized actions on data, maintaining data integrity and security.

Referring to claims 2, 15 and 26, Yen, as modified, teach the viewable content is Web content (the browser windows display information from a network, such as from the Internet, i.e. web content) (Yen: page 4, paragraph 0050 and page 5, paragraph 0061).

Referring to claims 4, 20 and 28, Yen, as modified, teach opening the controlling browser window further comprises locking at least one of a keyboard key and a mouse key (windows are opened via operation of the input device, such as a mouse or a keyboard) (Yen: page 2, paragraph 0026).

Referring to claim 7, Yen, as modified, teach re-establishing the at least one event handler for each change in a network address being accessed by the opened controlled browser window (the first main window, or controlling browser window comprises menu/function buttons, such as buttons 32 shown in Figures 3 and 4a-c; menu/function buttons are inherently

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designed with event handlers which handles subsequent processing each time the menu button is selected; for example, each time the user changes the network address by accessing a different web page via selecting one of the menu buttons, i.e. the “back” and “forward” arrow buttons, the menu button event handler acts to handle the processing) (Yen: page 2, paragraph 0026).

Referring to claim 12, Yen, as modified, teach opening the controlled browser window comprises executing a controlled browser program and wherein opening the controlling browser window comprises executing a controlling browser program (the plurality of controlling and controlled browser windows, such as the first main window and first sub-window can be executed, or displayed by different application programs) (Yen: page 5, paragraph 0062).

Referring to claim 13, Yen, as modified, teach in response to receiving user input configured to produce a first action by the opened controlled browser program, executing the controlling browser program to override the first action and produce a second action (upon receiving user selection requesting a change in the layout of the displayed webpage, instead of executing the change, the system prevents the browser from reformatting the pages) (Hodgkinson: paragraph 0015 on page 2).

Referring to claim 32, Yen, as modified, teach a network connection configured to support communications with the network locations via a network (computer system is linked to and communicates with the server via a network) (Yen: page 3, paragraph 0041 and page 4, paragraph 0050).

Referring to claim 33, Yen, as modified, teach the network is the Internet (the windows display Internet information and activities) (Yen: page 5, paragraph 0061).

Referring to claim 36, Yen, as modified, teach the executable component processed by the browser program renders the first browser window as a hidden window and the second browser window as a viewable window (each of the windows displayed by the application program comprise a minimize and maximize function button, as shown in Figure 1; therefore, the first main window, or controlling window controlling the first sub-window can be minimized, or hidden) (Yen: page 2, paragraph 0026 and pages 2-3, paragraphs 0031), and wherein the browsing activity engaged in by the user is restricted by the executable component (the application program restricts user's browsing activity with linked sub-windows by controlling the closing of the first sub-window for example, thereby preventing user browsing activity with the first sub-window) (Yen: page 3, paragraphs 0032-0033 and page 4, paragraphs 0048-0052).

Claims 3, 9-11, 17, 19, 21-24, 30-31 and 35 are rejected under 35 U.S.C. 102(a) as being unpatentable by Yen et al. U.S. Publication 2002/0054141 (hereinafter "Yen") and Hodgkinson U.S. Publication 2002/0016802, as applied to claims 1, 14, 25 and 34 above, and Netscape® Communicator 4.75, copyright 2000 (hereinafter "Netscape").

Referring to claims 3, 17 and 35, Yen and Hodgkinson teach all of the limitations as applied to claims 1, 14 and 34 above. However, although Yen and Hodgkinson teach wherein the controlling browser window is further configured to control operational and graphical aspects of the controlled browser window (the first main window controlling the displaying/closing and display location of the controlled first sub-window) (Yen: page 4, paragraph 0052), Yen and Hodgkinson fail to explicitly teach aspects of the controlled browser window to be controlled by the controlling browser window including the control of at least one browser chrome element

displayed by a graphical user interface displayed by the opened controlled browser window. Netscape teaches a graphical user interface that displays information received from the network, i.e. Internet, in browser windows (Netscape: Screenshots 2-3) similar to that of Yen and Hodgkinson. In addition, Netscape further teaches aspects of the controlled browser window to be controlled by the controlling browser window including at least one browser chrome element displayed by a graphical user interface displayed by the opened controlled browser window (controlling at least one browser chrome element by deactivating the display of a portion of the chrome, i.e. some of the navigation buttons such as the "Back" and "Forward" buttons) (Netscape: Screenshot 4). It would have been obvious to one of ordinary skill in the art, having the teachings of Yen, Hodgkinson and Netscape before him at the time the invention was made, to modify the control of operational and graphical aspects of a browser window by another browser window of Yen and Hodgkinson to include the prevention of the display of a portion of the browser window taught by Netscape. One would have been motivated to make such a combination in order to provide a management system that keeps users from conducting harmful or unauthorized actions on data, maintaining data integrity and security.

Referring to claims 9, 22 and 30, Yen, as modified, teach opening the controlling browser window comprises preventing at least a portion of chrome of the opened controlled browser window from being displayed on an output device (deactivating the display of a portion of the chrome, i.e. some of the navigation buttons such as the "Back" and "Forward" buttons) (Netscape: Screenshot 4).

Referring to claims 10, 23 and 31, Yen, as modified, teach the chrome of the opened controlled browser window comprises at least one of a tool bar, a menu bar, a title bar, an

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address field and a border (as shown in Figure 1 of Yen, each of the displayed windows, including the displayed first main window and the first sub-window, comprises a tool bar, a menu bar, a title bar and a border).

Referring to claims 11 and 24, Yen, as modified, teach the controlling browser window comprises at least one of a tool bar, a menu bar, a title bar, an address field, and a border (as shown in Figure 1 of Yen, each of the displayed windows, including the displayed first main window and the first sub-window, comprises a tool bar, a menu bar, a title bar and a border).

Referring to claim 19, Yen, as modified, teach opening the controlled browser window comprises executing a controlled browser program selected from one of Netscape Navigator® browser and Microsoft Internet Explorer® browser (screenshot 3 shows the web page displayed on a Netscape Navigator® browser).

Referring to claim 21, Yen, as modified, teach the controlling browser window is configured to restrict the browsing activity engaged in by the user by limiting access to at least one network address that is accessible by the opened controlled browser window (restrict browsing activity of the opened browser window, i.e. the “Google Business Solutions” window shown in Screenshot 3, by deactivating the display of a portion of the chrome, i.e. some of the navigation buttons such as the “Back” and “Forward” buttons, preventing those network addresses corresponding to the “Back” and “Forward” buttons from being accessed by the “Google Business Solutions” window) (Netscape: Screenshots 3-4).

(10) Response to Argument

Obviousness of Claims 1-2, 4, 7, 12-15, 20, 25-26, 28, 32-34 and 36 over Yen in view of Hodgkinson

- The applicant argues that once the “first sub window display 52” is opened, the “first main window 46” fails to control a functional aspect of the controlled browser window and therefore, Yen fails to disclose the limitations of a controlling browser window configured to control aspects of a controlled browser window, as recited by the present claims. The examiner respectfully disagrees. Yen teaches that when the first main window shifts, controlled windows that are subordinate to the first main window (i.e. the first sub window and the second main window) shift accordingly, and when the first main window is closed, the first sub window is correspondingly closed, as explicitly recited in page 4, paragraph 0052 and claim 1. More specifically, Yen explicitly recites in page 4, paragraph 52: “Therefore, when first main window display 46 shifts, the second main window display 48 and the first sub-window display 52 also shift correspondingly....When a user closes the first main window display by selecting close the function button 54, the operation also causes the second main window display 48 and the first sub-window display 52 to close”. Therefore, Yen teaches that the controlling browser window (i.e. the first main window) controls functional aspects (such as the position and the visibility of) the controlled browser windows (i.e. the first sub-window and the second main window, etc.), as recited by the present claims.

The applicant also argues that Yen and Hodgkinson fails to teach “receiving user input to which the controlled browser window is configured to produce a predetermined response; and overriding the predetermined response by executing an action specified by the at least one event handler to cause a response different from the predetermined response”, as recited by the present claims because Hodgkinson does not teach any change in response to the user’s request to

download a webpage. The applicant further argues that Hodgkinson only teaches when to reformat the display, but that deferring the reformatting of a webpage as it is being downloaded fails to disclose the recited limitation of overriding the predetermined response. The examiner respectfully disagrees. Hodgkinson teaches the input of a user selection causing a need for the layout of the displayed page to change, therefore, the displayed page had a predetermined response of changing the layout of the page, i.e. reformatting the page during the reception of data *when* user input is received (page 2, paragraph 15). Hodgkinson further teaches deferring changing of the layout, i.e. reformatting the page until a later time, such as when a certain amount of data for the new page has been received (page 2, paragraph 15). In other words, Hodgkinson teaches that instead of executing the predetermined response of reformatting the page as soon as the user input is received, a response other than the predetermined response, such as not performing the reformatting until a later time is executed. Hodgkinson specifically recites: "a deferring system which prevents the web browser from reformatting pages during the reception of data each time the display page layout needs to change in response to a user selection" in page 2, paragraph 0015. Therefore, Hodgkinson teaches that the system overrides, i.e. prevents the web browser from executing the predetermined response or reformatting the pages upon receiving user selection, to produce a different response, i.e. the response of not reformatting the pages when user selection is received (not until a later time at least).

The applicant also argues that there is no motivation to combine Yen and Hodgkinson. The examiner respectfully disagrees. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed

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invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Yen teaches a graphical user interface that displays information via windows, as shown in Figure 3. Similar to Yen, Hodgkinson also teaches the use of windows to display information (i.e. web browsers), as shown in Figure 1. Hodgkinson further teaches that the system overrides, i.e. prevents the web browser from executing the predetermined response of reformatting the pages as soon as user selection is received, to produce a different response, i.e. the response of not reformatting the pages when user selection is received (not until a later time at least). Therefore, the combination of Yen's system of controlling the display of browser windows with Hodgkinson's system of preventing the web browser from executing a predetermined response would have produced an interface in which the controlled browser window executes a response different from the predetermined response. Furthermore, Hodgkinson specifically mentions in page 2, paragraphs 0027-0028 that the prevention of the browser window from executing a predetermined response such as reformatting the page right when user selection is received is advantageous because it prevents the navigation from being jerky due to repeated formats in small chunks and also avoids the need for the relatively expensive high capacity memory that is required to accommodate a frequent reformatting of data. Therefore, the examiner respectfully argues that Hodgkinson explicitly provides motivation for the combination of Yen and Hodgkinson and the combination is therefore proper.

Obviousness of Claims 3, 9-11, 17, 21-24, 30-31 and 35 over Yen in view of Hodgkinson and Netscape

The applicant argues that Netscape does not teach or suggest a controlling at least one browser chrome element displayed by a graphical user interface displayed by the opened controlled browser window because once the second window is opened, the original browser window fails to exert any control or influence over the visual appearance of the controlled browser window. The examiner respectfully disagrees. The examiner respectfully asserts that the language of the claims, as presently recited, does not require that the controlling browser window to *keep* controlling the controlled browser window once the controlled browser window is opened; the language of the claims simply state “wherein the controlling browser window is further configured to control a graphical aspect of the controlled browser including the control of at least one browser chrome element displayed by a graphical user interface displayed by the opened controlled browser window”. Therefore, a teaching in which a controlling browser window controls the browser chrome element displayed by the GUI of an opened controlled browser window *at least once* teaches the recited claim limitations. Netscape teaches that when a user selects a link in a first browser window, a second browser window is opened (Screenshots 2-4). The second browser window is opened from the first browser window with a portion of the browser chrome, i.e. the back and forward buttons displayed in a manner that is different than the normal appearance of the buttons, i.e. the buttons are grayed out and deactivated in the sense that the user cannot select the back and forward buttons on the second opened browser window (Screenshots 2-4). Therefore, even assuming that the first browser window does not control any aspects of the second browser window from this point on, i.e. after first opening the second

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browser window, the first browser window controls the graphical or visual aspect of the second browser window at least once, namely when the first browser window first opens the second browser window with graphical buttons grayed out. The applicant argues that the buttons are not deactivated, nor has the functional operations of these buttons been modified in any way, but rather that the buttons appear grayed out because there are no “forward” or “back” browsed pages to access. The examiner respectfully disagrees. When the second browser window is opened from the first browser window, it is displayed with the “forward” and “back” buttons grayed out; therefore, the visual appearance of the second browser window is displayed from the first browser window with the buttons deactivated, i.e. not selectable by the user. Since the second browser window was opened from the first browser window, the first browser window controlled the opening of the second browser window and since the second browser window was opened from the first browser window with a part of the browser chrome visually displayed in a grayed out manner, the first browser window controlled the visual aspect of the second browser window when it was opened.

(11) Related Proceeding(s) Appendix


No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner’s answer.

For the above reasons, it is believed that the rejections should be sustained.

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Respectfully submitted,

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